Abdulkader Tayob (University of Cape Town), “The Public between Habermas and al-Mawardi: Approaching Public Debates in Modern Muslim Societies”

The impact of Habermas on public debates in Muslim societies cannot be denied. Habermas’ theory has been a productive framework for understanding the demands and revival of religion throughout the globe, but in Muslim societies in particular. Nevertheless, Habermas’ focus on both rationality and democratization has eclipsed the impact of religious discourse in modern societies. Not all religious discourses are guided by rational inquiry, nor by the ultimate goal of democratization. In this paper, I argue that some of the debates in classical Islamic law on the public might shed light on aspects of public life that elude a Habermasian framework. In particular, I focus on al-Mawardi’s reflections on religion, law and rights to suggest a more nuanced approach to the public in contemporary Muslim societies. Al-Mawardi helps us to understand the limitations and opportunities in public debates within a religious framework.